

Notice of Allowability

Application No.

09/617,736

Examiner

Kevin S Wood

Applicant(s)

XIE ET AL.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Applicant's Amendment filed on 3/3/04.
2. ☒ The allowed claim(s) is/are 21-29.
3. ☒ The drawings filed on 17 July 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


AKM ENAYET ULLAH
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1. This office action is responsive to the applicant's amendment filed on 3 March 2004. Claims 1-4, 6-11, 13-20, and 30-35 have been cancelled. Claims 21-29 remain pending in the application.

Allowable Subject Matter

2. Claims 21-29 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Referring to claims 21-29, the primary reason for allowance of the claims is the inclusion of a pigtail pair including a plurality of polarization maintaining (PM) fibers being in a pigtail, where the fibers are aligned such that the corresponding principal axes of each of the plurality of PM fibers and the secondary axes of the grouping intersect at a predetermined angle while maintaining distinct optical transmission paths .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application Publication No. 2003/0063832 to Hellman et al.

U.S. Patent Application Publication No. 2002/0110307 to Huang et al.

U.S. Patent No. 6,628,461 to Huang et al.

Each of these references discloses a device similar to the claimed invention.

None of these references have a priority date prior to the filing date of the current application. These references show the current status of the art.

U.S. Patent No. 6,529,325 to Kokkelink et al.

This reference discloses a device similar to the claimed invention. This reference fails to disclose the PM fibers arranged in a pigtail pair.

U.S. Patent No. 6,331,913 to Huang et al.

This reference discloses a device similar to the claimed invention. This reference fails to specifically disclose that one of the fibers is a single mode fiber.

U.S. Patent No. 5,293,440 to Miles et al.

U.S. Patent No. 5,064,267 to Rossberg

Each of these references discloses a device similar to the claimed invention.

Both of these references fail to disclose that the PM fibers maintain distinct optical transmission paths.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin S Wood whose telephone number is (571) 272-2364. The examiner can normally be reached on Monday-Thursday (7am - 5:30 pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KSW


AKM ENAYET ULLAH
PRIMARY EXAMINER